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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11

(Lead Case) (Jointly Administered)

**REQUEST FOR ENTRY OF ORDER BY
DEFAULT GRANTING THE SEVENTH
OMNIBUS MOTION OF THE UTILITY
PURSUANT TO 11 U.S.C § 365(a), FED. R.
BANKR. P. 6006, AND B.L.R. 6006-1 FOR
AN ORDER APPROVING ASSUMPTION
OF CERTAIN REAL PROPERTY LEASES**

[Relates to Dkt. No. 4390]

Hearing Date: November 19, 2019
Hearing Time: 10:00 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

Objection Deadline: November 5, 2019
4:00 p.m. (Pacific Time)

REQUEST FOR ENTRY OF ORDER BY DEFAULT

PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as debtors and debtors in possession (collectively, “**PG&E**” or the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”), hereby request, pursuant to Rule 9014-1(b)(4) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California, as made applicable to these Chapter 11 Cases by the *Second Amended Order Implementing Certain Notice and Case Management Procedures* entered on May 14, 2019 [Dkt No. 1996] (“**Case Management Order**”), that the Court enter an order by default on the *Seventh Omnibus Motion of the Utility Pursuant to 11 U.S.C. § 365(a), Fed. R. Bankr. P. 6006, and B.L.R. 6006-1 for an Order Approving Assumption of Certain Real Property Leases* filed by the Debtors on October 22, 2019 [Dkt. No. 4390] (the “**Motion**”).

RELIEF REQUESTED IN THE MOTION

The Motion seeks entry of an order (i) approving the Utility’s assumption of the Real Property Leases¹, (ii) authorizing the Utility to make Cure Payments totaling \$6,806.26 in connection with the Real Property Leases, (iii) following such payments and the removal of the Liens asserted on the underlying properties associated with the Real Property Leases, barring the lessors from asserting that any default exists under the Real Property Leases, and (iv) granting related relief. A schedule of the Real Property Leases (including the details of all counterparties, amendments and assignments), along with any Cure Payments to be made in connection with the assumption was attached as **Exhibit B** to the Motion.

A proposed order (the “**Proposed Order**”) was attached as **Exhibit A** to the Motion. The order being submitted is different from the Proposed Order attached to the Motion in that the reference to a hearing being held has been deleted, and that Row 1 of Schedule 1 has been corrected to reflect that Enerland, LLC was not a party to the Purchase and Sale Agreement dated November 9, 2007, as amended on January 15, 2008. A redline comparison of the Proposed Order and the order being submitted is attached hereto as **Exhibit A**.

¹ Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Motion.

1 **NOTICE AND SERVICE**

2 A Notice of Hearing on Seventh Omnibus Motion of the Utility Pursuant to 11 U.S.C.
3 § 365(a), Fed. R. Bankr. P. 6006, and B.L.R. 6006-1 for an Order Approving Assumption of Certain
4 Real Property Leases was filed concurrently with the Motion on October 22, 2019 [Dkt. No. 4392] (the
5 “**Notice of Hearing**”). The Motion, its supporting declaration of Andrew K. Williams, and the Notice
6 of Hearing were served as described in the Certificate of Service of Alain B. Francoeur filed on
7 October 25, 2019 [Dkt. No. 4484]. The deadline to file responses or oppositions to the Motion has
8 passed, and no responses or oppositions have been filed with the Court or received by counsel for the
9 Debtors.

10 **DECLARATION OF NO RESPONSE RECEIVED**

11 The undersigned hereby declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury,
12 that:

- 13 1. I am an attorney with the firm of Keller & Benvenutti LLP, co-counsel for the
14 Debtors.
- 15 2. I have reviewed the Court’s docket in the Chapter 11 Cases and have determined
16 that no response or opposition has been filed with respect to the Motion.
- 17 3. This declaration was executed in San Francisco, California.

18 WHEREFORE, the Debtors hereby request entry of the Proposed Order substantially in
19 the form attached to the Motion, granting the Motion as set forth therein.

20
21 Dated: November 7, 2019

WEIL, GOTSHAL & MANGES LLP
KELLER & BENVENUTTI LLP

23 /s/ Thomas B. Rupp
24 Thomas B. Rupp

25 *Attorneys for Debtors and Debtors in Possession*